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 13 America, LLC and Findlay DiGuilio, LLC dba  
 14 Lamborghini Las Vegas*

15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 THOMAS BROWN,

18 Plaintiff

19 v.

20 AUTOMOBILI LAMBORGHINI AMERICA,  
 21 LLC, a Delaware limited liability company;  
 22 FINDLAY DIGUILIO, LLC, d/b/a  
 23 LAMBORGHINI LAS VEGAS, a/k/a Findlay  
 24 Automotive Property,

25 Defendants

26 Case No. 2:23-cv-01415-CDS-BNW

27 **Order Approving Stipulation to  
 28 Reopen Motion to Dismiss and Set  
 Briefing Schedule**

29 [ECF No. 35]

30 Plaintiff Thomas Brown and defendants Automobili Lamborghini America, LLC, and  
 31 Findlay Digilio, stipulate to re-activate Defendants' motion to dismiss [ECF No. 11] and set the  
 32 following briefing schedule as follows:

33 1. On October 11, 2023, Defendants moved to dismiss the complaint.<sup>1</sup>  
 34 2. The parties then agreed to participate in the BBB Auto Line Program as required by  
 35 the warranty. The parties stipulated to extend the briefing deadline pending dispute resolution.<sup>2</sup>

36  
 37 <sup>1</sup> ECF No. 11.

38 <sup>2</sup> ECF No. 21.

1       3.     Based on that stipulation, the Court denied the motion to dismiss without prejudice  
2 and held “[i]f the ADR negotiations are unsuccessful, the parties may file a stipulation to reactivate  
3 the motion and set a briefing schedule.”<sup>3</sup>

4       4.     The parties arbitrated the matter through the BBB Auto Line program. The arbitrator  
5 found in favor of Defendants, which gave Plaintiff until February 27, 2025, to accept or reject the  
6 arbitrator’s decision.<sup>4</sup>

7       5.     Plaintiff rejected the arbitrator’s decision and intends to resume litigating this  
8 matter.<sup>5</sup>

9       6.     The parties now request, under this Court’s order, that this Court re-activate  
10 Defendants’ motion and set the following briefing schedule:

11           a. Plaintiff’s response: April 18, 2025

12           b. Defendants’ reply: May 2, 2025

13       7.     This request is made in good faith and not for the purpose of delay.

14       8.     The parties have agreed to the relief requested.

15     //

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26       <sup>3</sup> ECF No. 22 at 2.  
27       <sup>4</sup> ECF No. 31 at 1.  
28       <sup>5</sup> ECF No. 33 at 2.

1           Thus, the parties respectfully request that this Court re-activate the motion to dismiss and  
 2 set the above briefing schedule.

3           IT IS SO STIPULATED.

4           DATED: March 27, 2025.

5           DATED: March 27, 2025

6           RAY QUINNEY & NEBEKKER P.C.

7           SNELL & WILMER L.L.P.

8           By: /s/ Gregory Roberts

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11           *Attorneys for Plaintiff Thomas Brown*

12           By: /s/ Christian Ogata

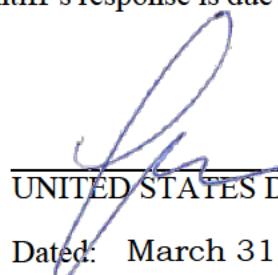
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14           *Attorneys for Defendants Automobili  
 Lamborghini America, LLC and Findlay  
 DiGuilio, LLC dba Lamborghini Las Vegas*

15           ORDER

16           Good cause appearing, IT IS HEREBY ORDERED, that the parties' stipulation  
 17           [ECF No. 35] is approved. The Clerk of Court is kindly directed to reopen defendants'  
 18           motion to dismiss the amended complaint (ECF No. 11).

19           IT IS FURTHER ORDERED that plaintiff's response is due by **April 18, 2025**. Any reply  
 20           is due by **May 2, 2025**.

21             
 22           UNITED STATES DISTRICT JUDGE

23           Dated: March 31, 2025